

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER QUALITY
APRIL 19, 2022**

ITEM 9

SUBJECT

BOARD WORKSHOP FOR THE DRAFT STATEWIDE CONSTRUCTION
STORMWATER GENERAL PERMIT REISSUANCE

DISCUSSION

The federal Clean Water Act requires discharges of construction stormwater to waters of the United States to be regulated by a National Pollutant Discharge Elimination System (NPDES) permit. The State Water Board adopted the existing statewide NPDES Construction Stormwater General Permit in 2009 to regulate stormwater discharges associated with construction activities disturbing one or more acres. The existing General Permit expired on September 2, 2014 and is administratively extended until the effective date of a reissued permit.

In May 2021, the State Water Board issued a draft Construction Stormwater General Permit reissuance for a 60-day public comment period. In June 2021, State Water Board staff held two public workshops on the draft Permit. On August 4, 2021, the State Water Board heard oral public comments from interested parties regarding the draft Permit. The State Water Board considered all public comments received.

On March 30, 2022, the State Water Board issued a public notice for the following items:

- Release of the proposed statewide Construction Stormwater General Permit reissuance, as revised per consideration of public comments submitted in August 2021.
- A 30-day limited-scope written public comment period for additional written public comment limited to the following proposed permit revisions:
 - Anti-degradation findings set forth in Order, Findings 9-18;
 - Regulatory transition requirements set forth in Order, Section III.C;
 - Sediment-based numeric effluent limitations for 14 pollutants as set forth in total maximum daily load (TMDL) implementation requirements in Attachment H section I.G.5, and the Fact Sheet sections I.G.5.g and I.W.6.g; and
 - Nitrogen-based nutrient numeric action levels for the Los Angeles Area Lakes TMDL, the Los Angeles River Nutrients TMDL, the Santa Clara River Nitrogen Compounds TMDL, and the Ventura River Algae TMDL in Table H-2 of Attachment H, and in Fact Sheet sections I.G.5.d and I.W.6.d.

- An April 12, 2022 public workshop for State Water Board staff to provide information regarding the proposed Permit to interested parties;
- An April 19, 2022 State Water Board workshop for the Board to hear feedback regarding the proposed permit;
- The May 2, 2022 due date from written public comments regarding the limited scope of the draft permit revisions shown above; and
- A July 19, 2022 State Water Board meeting for the Board to consider adoption of the proposed Permit.

POLICY ISSUE

The State Water Board will not be taking any action during the Board workshop; therefore, there are no policy issues to be considered.

FISCAL IMPACT

The State Water Board will not take any action at this workshop; therefore, is no fiscal impact.

REGIONAL WATER BOARD IMPACT

The State Water Board will not take any action at this workshop; therefore, there is no Regional Board impact at this time.

STAFF RECOMMENDATION

The State Water Board will not take any action at this workshop; therefore, there is no staff recommendation.